

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>P.H. GLATFELTER COMPANY,</b>	:	<b>Civil No. 1:19-CV-2215</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	<b>(Judge Wilson)</b>
<b>BABCOCK &amp; WILCOX POWER</b>	:	
<b>GENERATION GROUP, INC., f/k/a</b>	:	
<b>THE BABCOCK &amp; WILCOX</b>	:	
<b>COMPANY, n/k/a BABCOCK &amp;</b>	:	<b>(Magistrate Judge Carlson)</b>
<b>WILCOX ENTERPRISES, INC.,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**

**AND NOW**, this 28<sup>th</sup> day of April 2022 at the request of the parties **IT IS HEREBY ORDERED THAT** a settlement conference shall be conducted in the undersigned's chambers on **May 12, 2022 at 1:00 p.m.**, in the U.S. Courthouse, Harrisburg. Consistent with the court's COVID-19 settlement conference protocols parties and counsel may elect to attend in-person, telephonically, or by video, but all participants must notify the court of the agreed-upon format for the conference in their settlement memoranda. If counsel wish to utilize ZOOM or similar technology they must arrange for such services and provide the court with log-in contact information one week prior to the conference.

By **May 9, 2022**, the parties shall submit to the undersigned, *U.S. mail or electronic mail*, at:

[Chambers\\_of\\_Magistrate\\_Judge\\_Martin\\_Carlson@pamd.uscourts.gov](mailto:Chambers_of_Magistrate_Judge_Martin_Carlson@pamd.uscourts.gov)

a brief, concise and confidential settlement memorandum setting forth the parties' assessment of the case, and settlement recommendations.

In addition, by **May 5, 2022**, the parties shall begin the settlement process by exchanging a demand by the plaintiff, and a counter-offer by the defendants. The parties' confidential memoranda should update the Court on the status of these settlement discussions.

Enclosed please find the court's COVID-19 settlement conference protocols.

*/s/ Martin C. Carlson*

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Martin C. Carlson  
United States Magistrate Judge

**COVID -19 Settlement Conference Guidelines**  
**Magistrate Judge Carlson**

Recognizing the new times in which we live, we are adopting the following guidelines for settlement conferences consistent with the court's COVID-19 safety protocols.

1. If any conference participants are experiencing COVID symptoms, or have been in contact with someone who has tested positive for COVID-19, please notify the court and your conference will be rescheduled.
2. Prior to any in-person settlement conferences, the parties will confer regarding whether they wish to conduct the entire conference telephonically or through video-conference. If any party prefers to conduct the conference in this fashion, they should notify the court and we will favorably consider such requests. Likewise if parties wish to conduct a conference in person, but wish to continue the currently scheduled conference in light of pandemic conditions they should notify the court and we will favorably consider such requests.
3. If specific participants in an in-person settlement conference wish to participate telephonically, they should notify the court and we will favorably consider such requests.
4. Participants in in-person settlement conferences should comply with masking and social distancing recommendations by wearing masks in the courthouse, and by remaining six feet apart while participating in the conference. The settlement judge will also comply with these mask and social distancing guidelines.
5. Following each conference, the court will ensure a cleaning of the settlement conference space to ensure the well-being of future settlement conference participants.